



**US Army Corps
of Engineers.**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	ADS-MVK-2005-791
EVALUATOR:	Mr. Arel Simpson
PHONE NO.:	(601) 631-5996
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	February 1, 2006
EXPIRATION DATE:	February 22, 2006

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District and the Arkansas Department of Environmental Quality are considering an application for a Department of the Army Permit and State Water Quality Certification for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F and the Arkansas Department of Environmental Quality at Post Office Box 8913, Little Rock, Arkansas 72219-8913, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:
Mr. Nathan Hall
820 Trammel Road
Sherwood, AR 72117

Location of Work: Section 9, T2N-R11W, latitude 34°48'54"N longitude 92°10'53"W, within the Bayou Meto drainage basin, Pulaski County, Sherwood, Arkansas.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the project and associated impacts are based upon information provided by the applicant.

The applicant is applying for an after-the-fact Department of the Army permit for discharge of dredge and/or fill material in jurisdictional wetlands and other waters of the United States.

The applicant's stated purpose for the project was to raise the land surface around a shop and barn to prevent flooding. The applicant stated that the hydrology has changed recently in the project vicinity causing water to flow across and stand on his property.

Approximately 2,000 cubic yards of clean fill material was used to elevate the surface of approximately 2.0 acres of wetlands. The fill material depth ranges from 3.5 inches to 2.5 feet. Clean fill dirt, shell rock, and clay from off site sources were used as fill materials.

The project site had been pastureland prior to residential development. Three dead trees killed by standing water were removed from the project site. The fill material was placed in the open areas to avoid woody vegetation. The vegetation on the un-filled portions of the project site consists of black willow, buttonbush, soft rush, lizard tail, etc.

The applicant stated that no additional acreage would be filled to complete the project. The only additional fill material needed is good topsoil to help establish ground cover.

The drainage ditch transecting the applicant's property was dug by the applicant years ago. The drainage ditch enters the property at the southeast corner and Trammel Road. There it is culverted and runs under a shop and become an open ditch about 200 feet behind the shop. The open ditch is about two feet deep and six feet wide as it traverses northward.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment, and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Pulaski County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant

to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

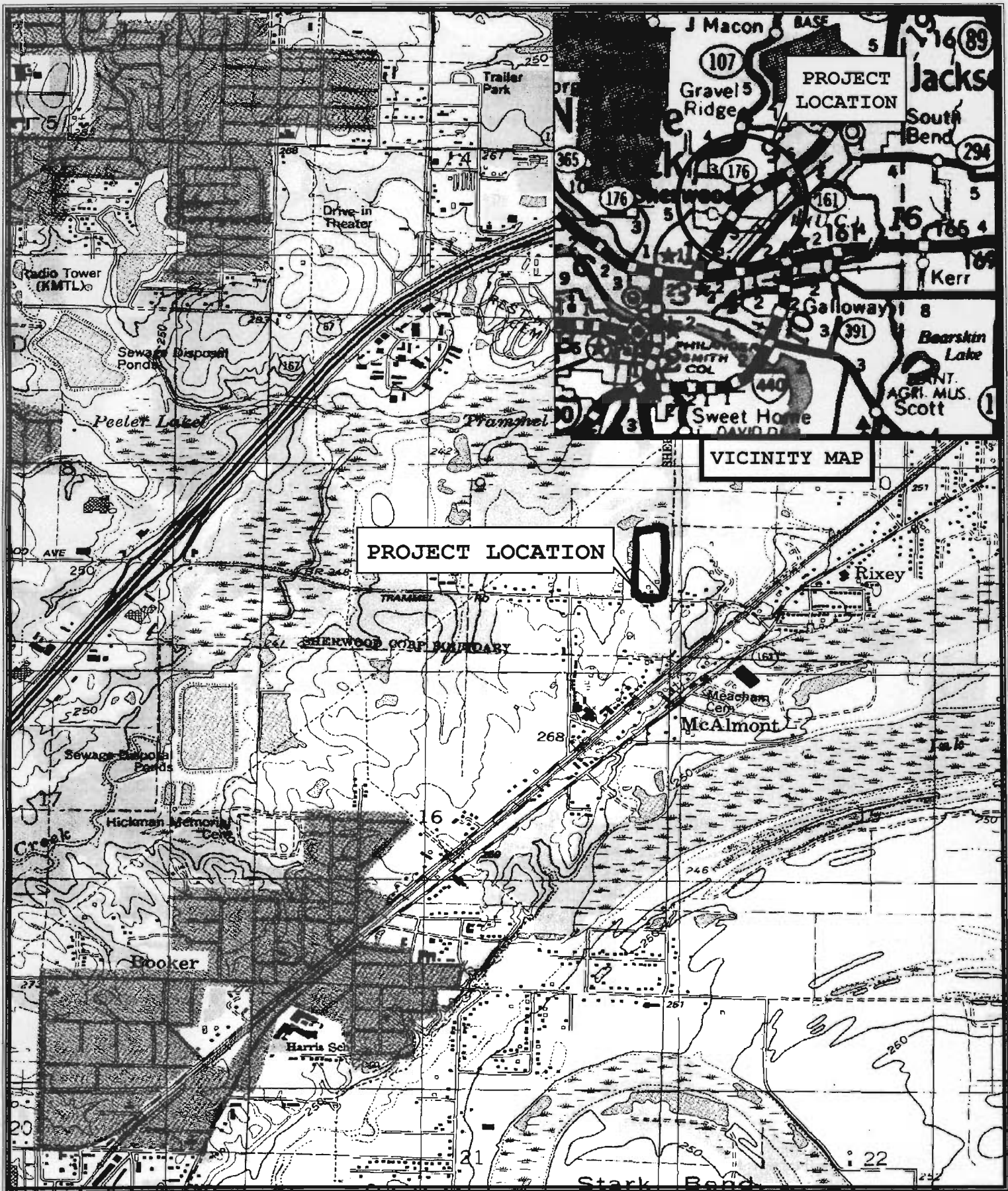
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section

NATHAN HALL



McAlmont, AR Quad

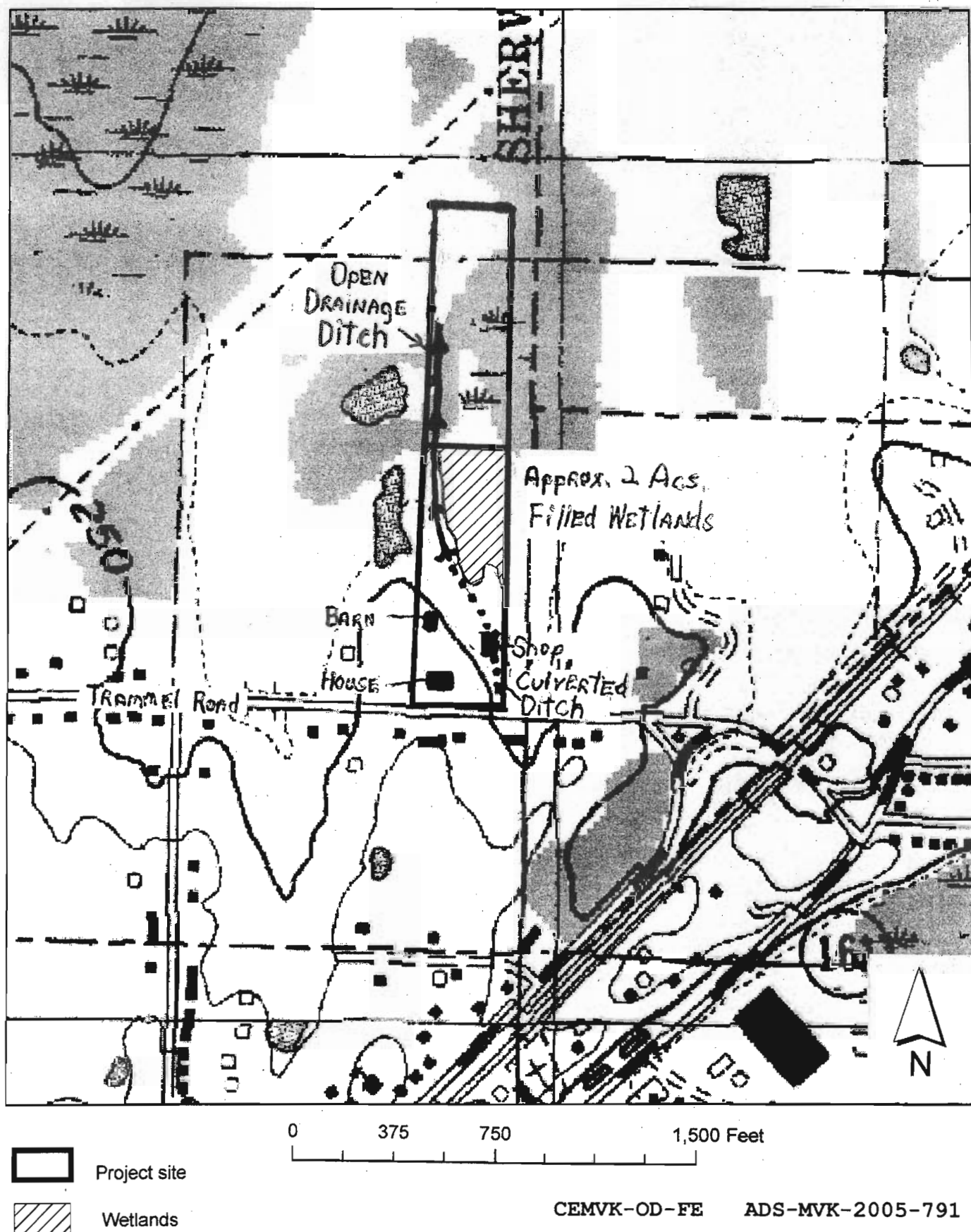
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CEMVK-OD-FE ADS-MVK-2005-791
MR. NATHAN HALL

MVK-2005-791, Mr. Nathan Hall, Section 9, T2N-R11W,
Pulaski County, Arkansas



NATHAN HALL